



**STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL**

Andrew M. Cuomo
Attorney General

STATE COUNSEL DIVISION
Litigation Bureau

Writer Direct: 518-486-4603

March 2, 2010

Via ECF Filing

Honorable Gary L. Sharpe
United States District Judge
United States District Court
James T. Foley U.S. Courthouse
440 Broadway, Room 441
Albany, New York 12207

Re: *Bryant et al v. New York State Ed. Dept., et al.*, 10-CV-0036 (GLS/RFT)

Dear Judge Sharpe:

By this letter, I respectfully request permission to file traditionally under seal documents that will be submitted in support of defendants' opposition to plaintiffs' motion for a preliminary injunction and in support of defendants' cross-motion to dismiss. Defendants' opposition and cross-motion will be filed today.

Exhibits A, B, C, D, E, F and G to the Declaration of Patricia J. Geary, M.S., SAS are individualized education programs ("IEP") for the student plaintiffs, which are confidential by law.

Exhibits A and B to my declaration are excerpts from transcripts of depositions that were designated confidential by the parties in Alleyne v. NYSED.

The Court's attention to this request is appreciated.

Respectfully,

/s/ Kelly L. Munkwitz

Kelly L. Munkwitz
Assistant Attorney General
Bar Roll No. 509910
Kelly.Munkwitz@ag.ny.gov

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c: Jeffrey J. Sherrin, Esq. (via ECF)
O'Connell and Aronowitz, P.C.
54 State Street
Albany, New York 12207

Meredith H. Savitt, Esq. (via ECF)
Law Office of Meredith H. Savitt, P.C.
636 Delaware Avenue
Delmar, New York 12054

Michael P. Flammia, Esq. (via ECF)
Eckert Seamans, Cherin & Mellott, LLC
Two International Place, 16 Floor
Boston, MA 02110